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PATENT & TRADEMARK OFFICE
the United States

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Adjustment date: 10/25/2004 AKELLEY
12/17/2001 BNGUYEN1 00000006 09232566
01 FC:218 -720.00 DP

1. To this date, applicant has not received any notice that

2. To this date, applicant has mailed all the payments to the
for extension of time to respond to the examiner's action of
20/01, that are allowable.

3. The anthrax terror beginning October 2001 greatly delayed S. Mail deliveries. For example, Petition for Extension of Time, with check for \$720.00, mailed 11/20/01, was received by the PTO on 12/12/01, 22 days after it was mailed from Houston

And currently, applicant mailed on 12/19/01, a petition of naturalization, and enclosed check for \$980.00. To date, applicant has not received the return receipt requested green card for confirmation of naturalization.

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mail, and has not received the stamped, self-addressed post card showing PTO had received applicant's petition and money. The petition and check for \$980.00 were mailed a month ago. Attached are copies of the Petition for Extension of Time and the U.S. Postal Service receipt showing mailing date of 12/19/01.

4. Applicant will watch with interest how the Commissioner rules on this. 37 CFR 1.192(c) cannot be more clear. The format (of the appellant brief) is not required to be followed strictly by one who is not represented by a registered practitioner. The applicant is not represented by a registered practitioner.

5. If the Commissioner rules against the applicant, applicant will appeal to the U.S. Court of Appeals for the Federal Circuit, because he is not able at the present time to re-write this brief in triplicate.

6. Applicant is age 68. Because he had never before written a patent appeal brief, applicant found the labor difficult, to the extent he had gastro-intestinal problems during the preparation and months after mailing the brief.

WHEREFORE, applicant requests, in accordance with 37 CFR 1.182, that the Commissioner, in the interest of justice, give an extension of time for response to examiner's demand of a re-write of applicant's appellant brief in triplicate, until such time that the Commissioner of Patents and Trademarks can rule on applicant's Petition, of October 6, 2001.

Very respectfully submitted,

Rolf Jansen

Rolf Jansen

Applicant, pro se

P. O. Box 73161

Houston, TX 77273-3161

Encl:

check for \$130.00 (fee)

3 attachments

Verification

Applicant, Rolf Jansen, pro se, hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Rolf Jansen

Rolf Jansen

Applicant, pro se

Date of signature: 1-19-02

Certificate of Mailing

I certify that this correspondence will be deposited with the United States Postal Service as first class mail with proper postage affixed in an envelope addressed to "Assistant Commissioner for Patents, Washington, DC 20231" on the date below

Date: 1-19-02

Rolf Jansen

Rolf Jansen, Applicant, pro se

FEB 22 2002

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Patent and Trademark Office, Commerce

§ 1.191

the proof in the form of affidavits or declarations (and exhibits, if any) must accompany the petition.

(c) When a petition is taken from an action or requirement of an examiner in the ex parte prosecution of an application, it may be required that there have been a proper request for reconsideration (§ 1.111) and a repeated action by the examiner. The examiner may be directed by the Commissioner to furnish a written statement, within a specified time, setting forth the reasons for his decision upon the matters averred in the petition, supplying a copy thereof to the petitioner.

(d) Where a fee is required for a petition to the Commissioner the appropriate section of this part will so indicate. If any required fee does not accompany the petition, the petition will be dismissed.

(e) Oral hearing will not be granted except when considered necessary by the Commissioner.

(f) Except as otherwise provided in these rules, any such petition not filed within 2 months from the action complained of, may be dismissed as untimely. The mere filing of a petition will not stay the period for reply to an Examiner's action which may be running against an application, nor act as a stay of other proceedings.

(g) The Commissioner may delegate to appropriate Patent and Trademark Office officials the determination of petitions.

[24 FR 10332, Dec. 22, 1959, as amended at 34 FR 18857, Nov. 26, 1969; 47 FR 41278, Sept. 17, 1982; 49 FR 48452, Dec. 12, 1984]

§ 1.182 Questions not specifically provided for.

All situations not specifically provided for in the regulations of this part will be decided in accordance with the merits of each situation by or under the authority of the Commissioner, subject to such other requirements as may be imposed, and such decision will be communicated to the interested parties in writing. Any petition seeking a decision under this section must be accompanied by the petition fee set forth in § 1.17(h).

[62 FR 53196, Oct. 10, 1997]

§ 1.183 Suspension of rules.

In an extraordinary situation, when justice requires, any requirement of the regulations in this part which is not a requirement of the statutes may be suspended or waived by the Commissioner or the Commissioner's designee, sua sponte, or on petition of the interested party, subject to such other requirements as may be imposed. Any petition under this section must be accompanied by the petition fee set forth in § 1.17(h).

[47 FR 41278, Sept. 17, 1982]

§ 1.184 [Reserved]

APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

AUTHORITY: Secs. 1.191 to 1.198. Also issued under 35 U.S.C. 134.

§ 1.191 Appeal to Board of Patent Appeals and Interferences.

(a) Every applicant for a patent or for reissue of a patent, and every owner of a patent under reexamination, any of whose claims has been twice or finally (§ 1.113) rejected, may appeal from the decision of the examiner to the Board of Patent Appeals and Interferences by filing a notice of appeal and the fee set forth in § 1.17(b) within the time period provided under §§ 1.134 and 1.136 for reply.

(b) The signature requirement of § 1.33 does not apply to a notice of appeal filed under this section.

(c) An appeal when taken must be taken from the rejection of all claims under rejection which the applicant or patent owner proposes to contest. Questions relating to matters not affecting the merits of the invention may be required to be settled before an appeal can be considered.

(d) The time periods set forth in §§ 1.191 and 1.192 are subject to the provisions of § 1.136 for patent applications and § 1.550(c) for reexamination proceedings. The time periods set forth in §§ 1.193, 1.194, 1.196 and 1.197 are subject to the provisions of § 1.136(b) for patent applications or § 1.550(c) for reexamination proceedings. See § 1.304(a) for extensions of time for filing a notice of appeal to the U.S. Court of Appeals for

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